

UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF PENNSYLVANIA

GARY RHINES,

Petitioner

v.

DAVID J. EBBERT, Warden,

Respondent

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CIVIL ACTION NO. 3:12-CV-2275

(Judge Nealon)

ORDER

NOW, THIS 10th DAY OF OCTOBER, 2013, for the reasons set forth in the

Memorandum issued this date, **IT IS HEREBY ORDERED THAT:**

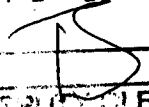
1. The petition for writ of habeas corpus, (Doc. 1), is construed under 28 U.S.C. § 2255 and is **DISMISSED**.
2. The Clerk of Court is directed to **CLOSE** this case.
3. There is no basis for the issuance of a certificate of appealability.



United States District Judge

FILED
SCRANTON

OCT 10 2013



DEPUTY CLERK